

How to file a labor complaint

When filing a labor complaint, please write down the following information and submit to the UDOT Project representative.

- A. Name, mailing address, daytime phone, evening phone number, and identification of federal aid highway project on which the complaint is filed.
- B. Nature of Complaint:
- Underpayment of wages for work performed
 - Underpayment of overtime for work performed
 - Unauthorized payroll deduction
 - Non-payment of fringe benefits
 - Other (Explain)
- C. Name of contractor you are employed by, name of immediate supervisor, dates during which your complaint occurred (to and from).
- D. Type of work you performed
- Laborer
 - Operator
 - Truck Driver
 - Cement Mason
 - Other (Explain)
- E. Have you explained your complaint to your employer (Yes or No) If so, who did you talk to? What was the outcome?

This brochure provides general guidelines to labor laws and the UDOT contract labor provisions. For more detailed information contact the UDOT Civil Rights Labor Compliance Specialist.

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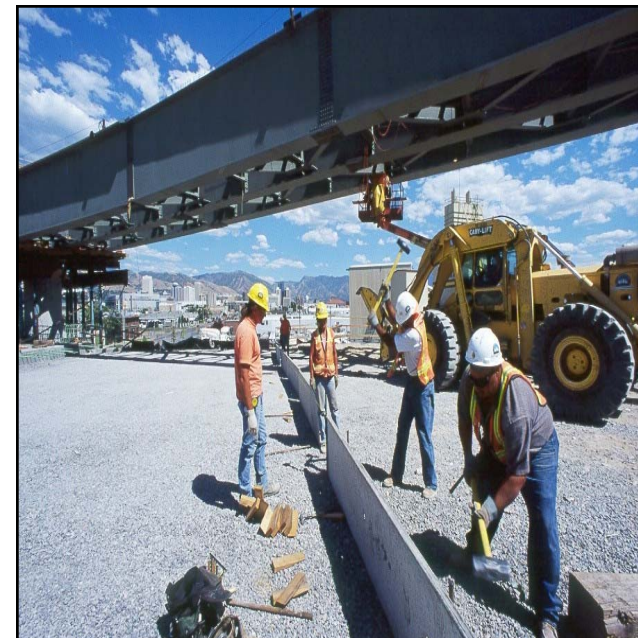
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*UDOT Civil Rights
Office*

UDOT Construction Contracts Labor Provisions for Contractor Employees



Labor Compliance

This program ensures that Davis-Bacon wage rates and fringe benefits are paid to highway construction workers on federal contracts and subcontracts valued at more than \$2,000. Contractors certified payrolls, statement of compliance, training, monitoring, and a formal complaint process assures contractor compliance.



The Civil Rights Office has the authority to investigate, monitor, and enforce labor compliance UDOT on Federally funded highway construction projects.

Prevailing Wage

- You must be paid at least the contract prevailing wage rate for the classification of work performed on the projects let by UDOT, regardless of your skill level. The prevailing wage and overtime standards are part of UDOT's contract.
- The prevailing wage rates **MUST** be posted on the project bulletin board for your inspection. If you cannot locate the bulletin board, or if your labor classification is not listed on the bulletin board contact the project manager.
- You must be paid the **TOTAL** prevailing wage for all hours worked on the project site. The total prevailing wage rate is a combination of a base hourly rate + an hourly fringe benefit rate. *Example \$10.00 per hour base + \$5.00 per hour fringe benefit = \$15.00 Total Hourly Rate.*

Fringe Benefits

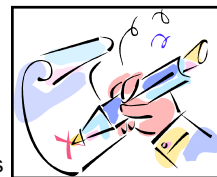
- If your employer is providing benefits to you such as health insurance, pension plans, vacation, sick leave, and training programs, your employer may use the fringe benefit portion of your hourly wage to pay for those benefits.
- You must be notified in writing of any fringe benefits paid on your behalf.
- If your employer does not offer fringe benefits you must receive the full fringe benefit rate for ALL hours worked on the UDOT project. Fringe benefits paid in cash are considered wages and must be taxed.

Personal Time Record

To make sure you are receiving payment for all hours worked and receiving the proper prevailing wage rate for the work you perform, keep a daily log. The log should include number of hours worked in each classification, the type of duties performed or equipment operated, the time you started work, and the time you ended work.

Apprentice

An Apprentice or Trainee is allowed to work at less than the prevailing wage rate as long as he/she is registered with an approved Apprentice or Trainee program; and he/she is not employed on the project in excess of the allowable Apprentice or Trainee to Journeyman ratio. *Minorities and Females are ENCOURAGED to apply for Apprenticeship or Trainee programs.*



Travel Pay

Travel pay, mileage, or subsistence pay are not fringe benefits and cannot be considered part of the prevailing wage rate.

Overtime Pay

If you work more than 40 hours per week, you must be paid 1.5 times the BASE hourly rate, and then add the hourly fringe. *Example: Employee makes \$10.00 per hour base rate and \$5.00 per hour fringe. $\$10 \times 1.5 = \15.00 base + fringe amount = \$20.00 per hour overtime rate...*



Payroll

- You must be paid WEEKLY.
- You must receive correct compensation for ALL hours worked that week, and your employer is NOT allowed to bank or reserve hours as comp time.

Payroll Deductions

Your employer **CANNOT** take deductions from your wages for loss, theft, damages, tools, or other indebtedness without your written permission. However, your employer is required by law to deduct for items such as taxes, child support, and court ordered garnishments.

Workers Compensation

Your employer has an obligation to provide Workers Compensation insurance (*At no cost to you*). If you are injured on the job, inform your employer immediately.